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LETTER DATED 23 JUNE 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Under the instructions of my Government I have the honour to inform you of the serious problem affecting the Yugoslav pensioners and members of their families who receive pensions, maintenance and other benefits from abroad since the Security Council imposed sanctions on Yugoslavia.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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Annex

In implementing the sanctions imposed by United Nations Security Council resolution 757 (1992), in particular its paragraphs relating to the prohibition of financial transactions with the Federal Republic of Yugoslavia, some States have denied Yugoslav citizens payment of their pensions and other social security benefits. Many Yugoslav citizens have thus been deprived of any means of subsistence and are unable to fulfil even their basic life needs.

There are some 58,000 pensioners in the Federal Republic of Yugoslavia who have earned and receive their pensions under social security conventions concluded between Yugoslavia and 18 countries or under the national legislation of those countries with which such conventions have not been signed. In addition, about 40,000 children receive their family allowance in Yugoslavia in accordance with these conventions. They are also the basis for families of migrant workers and beneficiaries of foreign pensions, nearly 500,000 of them, to benefit from the health care provided in Yugoslavia and paid by foreign insurers.

The denial of any related payments to such a large number of Yugoslav citizens who have acquired these rights for themselves and their families through their employment abroad directly jeopardizes their most fundamental human rights and the health of children, the elderly and handicapped and of their dependants.

Such an implementation of Security Council resolution 757 (1992) also makes the impact of the sanctions felt by those population groups protected by numerous conventions of the International Labour Organisation and by other international legal instruments. This mechanism, and all other bilateral arrangements on social security entered into by Yugoslavia, guarantees that the conferred rights in this field cannot be derogated from nor suspended under any circumstances. Similarly, guarantees are given for an undisturbed payment and transfer of resources intended for social security purposes. In spite of that, the very existence of the people, who could in no way be involved in the activities as a result of which the sanctions were imposed, is in danger, which was certainly not the intention of resolution 757 (1992) and is contrary to the basic principles of the Charter of the United Nations.

We note with regret that the Committee established pursuant to Security Council resolution 724 (1991) has already prevented the efforts of some States to meet their obligations vis-à-vis Yugoslav citizens in the sphere of social security. We, therefore, reiterate the need to exempt this field from the application of sanctions. If not, great responsibility will be assumed for the tragic consequences thereof for tens of thousands of Yugoslav citizens left without any income to live on.